

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.12788 of 2020
Date of decision: 21st May, 2020

Pinderpal Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Harinder S. Aujla, Advocate for the petitioner.

FATEH DEEP SINGH, J. (ORAL)

The matter has been taken up through video-conferencing on account of lockdown due to outbreak of pandemic COVID-19.

Mr. H.S. Grewal, Addl. Advocate General, Punjab has put in appearance on behalf of the State on his own.

Allegations against the petitioner Pinderpal Singh in this second regular bail application under Section 439 Cr.P.C. (the earlier one having been dismissed as withdrawn on 07.05.2019) in case bearing FIR No.343 dated 27.11.2018 under Sections 306, 34 IPC pertaining to Police Station Talwandi Sabo, District Bathinda, have come about by complainant Sukhdev Singh. In his allegations, the complainant alleges that his daughter Amanpal Kaur (now deceased) was married with the petitioner for more than 12/13 years out of which the couple was bestowed with two daughters and a son. The complainant further claims that the husband and his parents often used to quarrel with the deceased

and on account of which she was forced to consume a poisonous substance leading to her death one day after the occurrence i.e. on 28.11.2018.

Learned counsel for the petitioner Mr. Harinder Singh Aujla, Advocate inter alia contends that the couple was in wedlock for almost 13 years and there is no specific role of abetment to suicide in respect of the petitioner who is behind bars for almost one-and-a-half years.

Learned State counsel Mr. H.S. Grewal, Addl. Advocate General, Punjab though does not dispute the facts canvassed before the Court but has stoutly opposed the grant of bail on the grounds that the trial is underway and that the prosecution has already moved application under Section 319 Cr.P.C. for summoning the additional accused.

Be so as it may, as is reflected from the primary allegations of the complainant and the evidence on the file, the element of abetment to suicide is a debatable issue which can only be adjudicated at the time of trial which is not likely to be concluded in the near future. Keeping in view the period of detention of the petitioner and that the couple was in a successful matrimony for 13 years, is a strong circumstance to allow the prayer made. In view thereof, this Court is of the opinion that no useful purpose will be served by further detention of the petitioner in the present case. Accordingly, he is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Bathinda.

However, it is made clear that anything observed herein shall not be construed as an expression on the merits of the case.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

May 21, 2020
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No